

REMARKS

Upon entry of the claim amendments, Claims 1-5 will be all the claims pending in the application.

Applicants have made minor editorial amendments to pages 1 and 3 of the specification.

At pages 4 and 5 of the specification, Applicants have replaced the terms “mixing tube” and “mixer head” with “diverging part” and “converging part,” respectively. These amendments were necessitated by an erroneous translation of the international application, and are thus supported by the original French-language international application.

Applicants have amended Claim 1 as supported by the description at the sixth and seventh full paragraphs at page 4 of the specification, as well as FIG. 1.

Referring to the terms “upstream,” “intermediate,” and “downstream” added to amended Claim 1, they are supported by the application as originally filed.

In this regard, the fundamental factual inquiry with respect to whether an amended claim is adequately supported by the application as filed is whether the amended claim defines an invention that was clearly conveyed to those skilled in the art at the time the application was filed. Ralston Purina Co. v. Far-Mar-Co., Inc., 227 USPQ 177, 179 (Fed. Cir. 1985). The subject matter of the amended claim need not be described literally, *i.e.*, using the same terms or *in haec verba*, in order for the disclosure to satisfy the description requirement. MPEP §2163.02.

Here, the terms “upstream,” “intermediate,” and “downstream” are inherently supported by the sixth and seventh full paragraphs at page 4 of the specification, as well as FIG. 1. Therein, it is described that the venturi includes a (i) convergent part that is *extended* by (ii) a cylindrical neck part, which in turn is *extended* by (iii) a divergent part. This succession of the three elements combined with FIG. 1 and the knowledge that one of ordinary skill in the art has of the functioning and structure of a venturi clearly implies the idea of direction/movement/progress/flow/stream etc., such that the artisan of ordinary skill understands

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that the convergent part (i) is upstream of the intermediate (ii) neck part, and the (iii) divergent part is downstream of the intermediate neck part.

Applicants have made clarifying editorial amendments to Claims 2 and 4.

Claim 6 has been canceled.

No new matter has been added.

Referring to the text of the Office Action, the rejections of Claim 6 have been rendered moot by the cancellation of Claim 6.

The remainder of the Office Action consists in the following pair of prior art rejections:

Claims 1-6 have been rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 3,659,962 (“US ‘962”); and

Claims 1-5 have been rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 2,164,263 (“US ‘263”).

Applicants respectfully traverse.

Neither US ‘962 or US ‘263 discloses or suggests a device containing a venturi (2) comprising an upstream conical converging part (3), an intermediate cylindrical neck part (4) and a downstream conical diverging part (5), wherein a plurality of gas supply tubes (6) are arranged in at least one ring around a central supply (1), and at least the ends of the gas supply tubes (6) have their axes substantially parallel to a wall of the downstream conical diverging part (5).

The element “at least the ends of the gas supply tubes (6) have their axes substantially parallel to a wall of the downstream conical diverging part (5)” is an essential feature of the claimed invention. As a result, the claimed device succeeds in maximizing the distribution of the gas speed across all the section. Specifically, the claimed device succeeds in preventing the gas and the air from whirling along the wall of the downstream conical diverging part (5), which would otherwise limit the amount of air driven by the gas. In addition, central supply (1)

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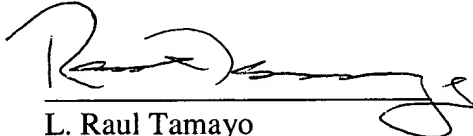
compensates for the fall in pressure that the air drawn at high speed by the gas along the downstream conical diverging part (5)'s wall would create along the axis of the venturi.

Both US '962 and US '263 fail to teach the specific structure of the claimed invention and the advantages obtained therefrom.

Reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, he is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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